

Office of the Secretary, DOT

§ 207.45

both directions, except as provided in § 207.14.

(Approved by the Office of Management and Budget under control number 3024-0011)

[ER-802, 38 FR 14157, May 30, 1973, as amended by ER-1238, 46 FR 43035, Aug. 26, 1981]

§ 207.42 Participation of immediate families in charter flights.

(a) The immediate family of any bona fide member of a charter organization may participate in a charter flight.

(b) "Immediate family" means only the following persons who are living in the household of a member of a charter organization, namely, the spouse, dependent children, and parents, or such member.

§ 207.43 Charter costs.

(a) The costs of charter flights shall be prorated equally among all charter passengers, and no charter passenger shall be allowed free transportation; except that (1) children under 12 years of age may be transported at a charge less than the equally prorated charge; and (2) children under 2 years of age may be transported free of charge.

(b) The charterer shall not make charges to the charter participants which exceed the actual costs incurred in consummating the charter arrangements, nor include as a part of the assessment for the charter flight any charge for purposes of charitable donations. All charges related to the charter flight arrangements collected from the charter participants which exceed the actual costs thereof shall be refunded to the participants in the same ratio as the charges were collected.

[ER-802, 38 FR 14157, May 30, 1973, as amended at 46 FR 31000, June 12, 1981]

§ 207.44 Statement of charges.

The chartering organization, in any announcements or statements to prospective charter participants giving price per seat, shall state that the seat price is a pro rata share of total charter cost and is subject to increase or decrease depending on the number of participants. All announcements shall separately state the cost of ground arrangements, if any, the cost of air transportation, the administrative ex-

penses of the charterer, and the total cost of the entire trip. All announcements shall also identify the carrier, the number of seats available and the type of aircraft to be used for the charter.

§ 207.45 Passenger lists.

(a) Prior to each one-way or round-trip flight, a list shall be filed by the charterer with the air carrier showing the names, addresses, and telephone numbers of the persons to be transported, including standbys who may be transported, specifying the relationship of each such person to the charterer (by designating opposite his name one of the three relationship categories hereinafter described), the date the person joined or last renewed a lapsed membership in the charter organization, and the designation "one-way" in the case of one-way passengers. The list shall be amended if passengers are added or dropped before flight.

(b) The relationship of a prospective passenger shall be classified under one of the following categories and specified on the passenger list as follows:

(1) A bona fide member of the chartering organization who will have been a bona fide member of the chartering organization for at least 6 months prior to the starting flight date. Specify on the passenger list as "(1) member."

(2) The spouse, dependent child or parent of a bona fide member who lives in such member's household. Specify on the passenger list as "(2) spouse" or "(2) dependent child" or "(2) parent." Also give name and address of member relative where such member is not a prospective passenger.

(3) Bona fide members of entities consisting only of persons employed by a single Government agency, industrial plant, or mercantile company or students and employees of a school or persons whose proposed participation in the charter flight was permitted by the Board pursuant to request for waiver. Specify on the passenger lists as "(3) special" or "(3) member" (where participants are from a school group or from a Government agency, industrial plant or mercantile company).

(c) In the case of a round-trip flight, the above information must be shown

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for each leg of the flight and any variations between the outbound and inbound trips must be explained on the list.

(d) Attached to such list must be a certification, signed by a duly authorized representative of the charterer, reading:

The attached list of persons includes every individual who may participate in the charter flight. Every person as identified on the attached list (1) was a bona fide member of the chartering organization, and will have been a member for at least 6 months prior to the starting flight date, or (2) is a bona fide member of an entity consisting of (a) students and employees of a single school, or (b) employees of a single Government agency, industrial plant, or mercantile establishment, or (3) is a person whose participation has been specifically permitted by the Civil Aeronautics Board, or (4) is the spouse, dependent child, or parent of a person described hereinbefore and lives in such person's household.⁴

(Signature)

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[ER-802, 38 FR 14157, May 30, 1973, as amended by ER-1238, 46 FR 43035, Aug. 26, 1981]

§ 207.46 Application for a charter.

A chartering organization shall make written application to the air carrier, setting forth the number of seats desired, points to be included in the proposed flight or flights, and the dates of departure for each one-way or round-trip flight, and the number of round-trip flights which have been conducted for the organization by any carrier or carriers during the calendar year.

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[ER-802, 38 FR 14157, May 30, 1973, as amended by ER-1238, 46 FR 43035, Aug. 26, 1981]

⁴ Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement of entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C. 1001.

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§ 207.47 Statement of Supporting Information.

Charterers shall execute and file with the foreign air carrier section B of part II of the Statement of Supporting Information (appendix B) at such time as required by the carrier to afford it due time for review thereof.

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[ER-1221, 46 FR 28378, May 26, 1981, as amended by ER-1238, 46 FR 43035, Aug. 26, 1981]

Subpart C—Provisions Relating to Single Entity Charters

§ 207.50 Applicability of subpart.

This subpart sets forth the special rules applicable to single entity charters.

§ 207.53 Statement of Supporting Information.

Part I of the Statement of Supporting Information (appendix B) shall be applicable in the case of single entity charters.

[ER-1221, 46 FR 28378, May 26, 1981]

Subpart D—Provisions Relating to Mixed Charters

§ 207.60 Applicable rules.

The rules set forth in Subpart B of this part shall apply in the case of mixed charters.

Subpart E—Direct Sales by Air Carriers

AUTHORITY: Secs. 102, 204, 401, 416 of the Federal Aviation Act of 1958, as amended, 92 Stat. 1706, 72 Stat. 743, 754, 92 Stat. 1731; (49 U.S.C. 1302, 1324, 1371, 1386).

SOURCE: ER-1141, 44 FR 50824, Aug. 29, 1979, unless otherwise noted.

§ 207.70 Applicability of subpart.

This subpart applies to direct air carriers that provide charter trips, including trips with ground accommodations and services, directly to individuals.

§ 207.71 Terms of service.

(a) Charter trips under this subpart shall bear only such characteristics as